

BK 0434 PG 0358

STATE MS. - DE SOTO CO. *BC*
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Dec 18 4 19 PM '02

BK 434 PG 358
W.E. DAVIS CH. CLK.

EVELYN C. KOEHLER, EXECUTRIX

GRANTOR

TO

EVELYN C. KOEHLER, TRUSTEE
OF THE HERMAN KOEHLER CREDIT
SHELTER TRUST

GRANTEE

WARRANTY DEED

FOR AND IN CONSIDERATION of Ten Dollars (\$10.00) cash in hand paid and other good and valuable considerations and to satisfy the provisions of the Last Will and Testament of Herman Koehler, I, EVELYN C. KOEHLER, as Executrix of the Estate of Herman Koehler, do hereby convey and specially warrant unto EVELYN C. KOEHLER, TRUSTEE OF THE HERMAN KOEHLER CREDIT SHELTER TRUST created by the Last Will and Testament of Herman Koehler probated as Cause No. 99-10-1381 in the Chancery Court of DeSoto County, Mississippi, an undivided thirty percent (30%) interest in the following described property:

TRACT I

All of Section Twenty-One (21), Township Two (2) South, Range Nine (9) West of the Chickasaw Meridian, containing 641.80 acres, more or less, except the following described parcels of land to-wit:

Parcel No. 1: A lot 200 X 400 feet, conveyed to the Trustees of the Liberty Hill Missionary Baptist Church by W. S. Weissinger by Warranty deed recorded in Book 17, Page 333 of the deed records of said DeSoto County to which deed reference is made for a particular description of said tract.

Parcel No. 2: A lot 200 X 400 feet conveyed by the said W. S. Weissinger to the Trustees of the Lake Cormorant Colored Baptist Church Burial

Association by Warranty Deed recorded in Book 21, Page 540 of the deed records of said DeSoto County, to which reference is made for a particular description of said lot.

Parcel No. 3: A lot or parcel of land conveyed to the Texas Gas Transmission Company, particularly described as follows: Beginning at a point in the west line of said Section 21, 1130.5 feet south of the northwest corner of said Section 21; thence east 50 feet; thence south 50 feet; thence west 50 feet; thence north 50 feet to the point of beginning, containing .06 acres, more or less, said lot being located 109.5 feet north of the 20.9 acre tract described next below.

Parcel No. 4: A tract or parcel of land conveyed to the said Texas Gas Transmission Company, particularly described as follows: Beginning at a point in the west line of said Section 21, 1290 feet south of the northwest corner of said Section; thence south 83 degrees 57 minutes east 702.62 feet to an auto axle; thence south 1 degree 5 minutes west, 813.5 feet to an iron pipe; thence south 43 degrees and 12 minutes west 203.1 feet to a machine bolt; thence south 22 degrees and 53 minutes west 245 feet to a machine bolt; thence south 41 degrees 51 minutes west 184.55 feet to a machine bolt; thence north 88 degrees and 55 minutes west, 68.25 feet to the center line of a road; thence north 1 degree 05 minutes east 1623.4 feet to the point of beginning, containing 20.9 acres, more or less.

Parcel No. 5: In the Northwest Quarter (NW 1/4) of Section 21, Township 2 South, Range 9 East, DeSoto County, Mississippi; 1290 feet south 1 degree 05 minutes west of the northwest corner of Section 21, Township 2 South, Range 9 South to a point of beginning; thence north 1 degree 05 minutes east 225 feet to a point; thence south 88 degrees 58 minutes east 320 feet to a point; thence south 1 degree 05 minutes west 242.81 feet to a point; thence north 83 degrees 57 minutes west 321.2 feet to the point of beginning. Containing 1.61 acres, more or less. THERE IS EXCEPTED from the above described parcel of land a tract of land described as follows: 1130.5 feet, thence south of the northwest corner of Section 21, Township 2 South, Range 9 west, the point of beginning; thence east 50 feet; thence south 50 feet; thence west 50 feet; and thence north 50 feet to the point of beginning, containing .06 acres more or less; the property in this tract is subject to road right-of-way on the western boundary, embracing approximately 0.14 acres, and being the same parcel of land conveyed to Texas Gas Transmission

Corporation by a Warranty Deed of record in Book 39, Page 218 of the deed records of said county.

Parcel No. 6: A tract of land conveyed to Texas Gas Transmission Corporation by deed dated and filed August 22, 1995 and executed by James H. Koehler, et ux. to Texas Gas Transmission Corporation and containing 7.00 acres.

Being land conveyed to Grantors by deed from Bunyan M. Webb, et al. dated April 19, 1956, recorded in Deed Book 43 at page 64 of said records.

TRACT II

Beginning at the southeast corner of the northeast quarter (NE 1/4) of Section 24, Township 2, Range 10 West; thence west 803 feet to a stake; thence south 218 feet to a stake; thence west 1973.4 feet to a stake in east bank of Lake Cormorant; thence north with the meandering of the Lake to a stake in the east bank of the Lake; thence east 2320 feet to the east line of Section 24; thence south with the east line of said Section, 1328.5 feet to the point of beginning, containing 88.91 acres.

Being land conveyed to Grantors by deed from Shirley Louise McIngvale Coopwood, et al dated December 30, 1982, recorded in Deed Book 162 at page 759 of said records.

TRACT III

Those portions of the Northwest Quarter (NW 1/4) of the Northwest Quarter (NW 1/4) of Section 19, Township 2 South Range 9 West of the Chickasaw Meridian, and of the North Half (N 1/2) of the Northeast Quarter (NE 1/4) of Section 24, Township 2 South Range 10, West of the Chickasaw Meridian, particularly described as follows:

Beginning at the Northeast corner of said Section 24 run thence west 1070 feet to the Northeast Corner of the Tract reserved as a homestead of Mrs. J. C. Brantley; thence south 630 feet; thence west 950 feet to the East Bank of Lake Cormorant; thence in a Southerly direction along the East bank of Lake Cormorant to the South line of the North Half (N 1/2) of the Northeast Quarter of said Section 24; thence East 3665 feet to the Southeast Corner of

the Northwest Quarter (NW 1/4) of the Northwest Quarter (NW 1/4) of said Section 19; thence North 909.3 feet; thence west 420 feet; thence North 420 feet to the north side of said Section 19; thence west 932.3 feet to the point of beginning, containing 85.83 acres, more or less, and being Share No. 7 assigned to A. B. Brantley in the partition of the lands of J. C. Brantley deceased in Case No. 5993 in the Chancery Court of DeSoto County, Mississippi, subject to easement for right of way for Highway No. 61 which comprises 1.40 acres, LESS AND EXCEPT:

Parcel No. 1: _____ acres situated in the Northwest Quarter (NW 1/4) of the Northwest Quarter (NW 1/4) of Section 19, Township 2, Range 9 West described by metes and bounds, in the certain Warranty Deed of date, July 31, 1956, executed by A. B. Brantley and wife, Mary Lynn Brantley, to Otto Koehler, et al of record in Book 43, page 196 of the deed records of said County;

Parcel No. 2: Approximately two (2) acres situated in the Northwest Quarter (NW 1/4) of Section Nineteen (19), Township Two (2), Range Nine (9) and Northeast Quarter (NE 1/4) of Section Twenty-Four (24), Township Two (2), Range Ten (10) described in the certain warranty deed dated August 24, 1999 executed by J. Herman Koehler, et al. to the Walls Water Association, Inc., recorded in Deed Book 358 at page 0219 of the records of said County; and

Parcel No. 3: 6.69 ACRES (291.725.1352 s.f.) being part of the Northwest Quarter (NW 1/4) of the Northwest Quarter (NW 1/4) of Section 19, Township 2 South, Range 9 West, DeSoto County, Mississippi and described as follows:

Commencing at the Northwest corner of Section 19, Township 2 South, Range 9 West. Said point marked by a PK nail in the south land of Star Landing Road. Thence South 00 degrees 36 minutes 13 seconds West 1,317.57 feet along the west line of Section 19 to a 3/8 inch rebar at the Southwest corner of the Northwest Quarter (NW 1/4) of the Northwest Quarter of Section 19. Thence South 89 degrees 23 minutes 45 seconds east 567.01 feet along the South line of the Northwest Quarter (NW 1/4) of the Northwest Quarter of section 19 to a 3/8 inch rebar. Said point being the southwest corner of said 6.69 acres and the point of beginning. Thence North 37 degrees 15 minutes 21 seconds East 1,118.39 feet to a 3/8 inch rebar on the south line of the Withers Commercial Subdivision to a 1/2 inch rebar. Thence south 00 degrees 21 minutes, 25 seconds west 342.10 feet along the

West line of said subdivision to a ½ inch rebar on the Northwest right of way of 61 highway (60 feet from the center of northwest lane). Thence South 37 degrees 15 minutes 21 seconds west 692.05 feet along the northwest right of way of said highway to a 3/8 inch rebar. Thence North 89 degrees 23 minutes 45 seconds west 373.93 feet to the point of beginning.

TRACT IV

That part of the Southwest Quarter (SW 1/4) of Section Nineteen (19) Township Two (2) South, Range Nine (9) West and that part of the Southeast Quarter (SE 1/4) of Section Twenty-Four (24), Township Two (2), Range Ten (10) of the Chickasaw Meridian particularly described as follows:

Beginning at the Southwest Corner of said Section Nineteen (19) run thence East on the South line of Section Nineteen (19) 1325 feet; thence North 1322.5 feet; thence West 1335 feet to the west line of Section Nineteen (19) thence South 1322.5 feet to the point of beginning; also that part of the Southeast Quarter (SE 1/4) of Section Twenty Four (24) Township Two (2) South, Range Ten (10) West of the Chickasaw Meridian, particularly described as follows; Beginning at the Northeast corner of the Southeast Quarter (SE 1/4) of said Section Twenty-Four (24) run thence West 803 feet; thence South 2645 feet to the South line of Section Twenty-Four(24) thence East 803.5 feet to the Southeast Corner of Section Twenty- Four (24) thence North on the East line of Section Twenty-Four (24) to the point of beginning; containing in all 85.18 acres, less and except

(i) the rights of Lake Cormorant Drainage District in the land occupied by the right of way of the Drainage Canal;

(ii) subject to easement for right of way of Federal Highway No. 61, and

(iii) 9.11 acres (397,254.97 s.f.) being part of the Southeast Quarter (SE 1/4) of the Northeast Quarter (NE 1/4) and the Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of Section Twenty-Four (24), Township Two (2) South, Range Ten (10) West, DeSoto County, Mississippi and described as follows:

Commencing at the Northeast corner of Section Twenty-Four (24), Township Two (2) South, Range Ten (10) West. Said point being marked by

a PK nail in the South lane of Star Landing Road. Thence S 00 degrees 36 minutes 13 seconds W-2066.23' along the East line of Section Twenty-Four (24) to a 3/8" rebar. Said point being the Northeast corner of said 9.11 acres and the point of beginning. Thence continuing S 00 degrees 36 minutes 13 seconds W-478.39" along the East line of Section Twenty-Four (24) to a 3/8" rebar on the Northwest right of way of Highway 61 (60' from center of Northwest lane). Thence Southwest along the Northwest right of way of 61 Highway, with a curve to the right, with a radius of 17,128.74', arc distance of 134.56' to a point. Thence N 49 degrees 29 minutes 02 Seconds W-25' too a point on the Northwest right of way of 61 Highway (85' from the center of the Northwest lane). Thence Southwest along the Northwest right of way of 61 Highway, with a curve to the right with a radius of 17,103.74' and an arc distance of 1049.83' to a 3/8" rebar. Thence N 00 degrees 36 minutes 13 Seconds E-755.69' to a 3/8" rebar. Thence S 89 degrees 49 minutes 34 seconds E-314.85' to a 3/8 rebar. Thence Northeast with a curve to the left with a radius of 16,828.74' and an arc distance of 767.3' to the point of beginning. Said property being Share No. 5 assigned to Mrs. J. C. Brantley, in the partition of the lands of J. C. Brantley, deceased, in Case No. 5993 in the Chancery Court of DeSoto County, Mississippi said Federal Highway No. 61 compromises 3.6 acres, leaving net 81.58 acres.

TRACT V

That part of the North Half (N ½) of Section Twenty-Five (25), Township Two (2) South, Range Ten (10) West of the Chickasaw Meridian, particularly described as beginning at the Southeast Corner of the Northeast Quarter (NE 1/4) of said Section Twenty-Five (25) run thence North 982 feet; thence west 1320 feet; thence North 344 feet; thence west 1320 feet; thence North 1326 feet to the Northwest corner of the Northeast Quarter (NE 1/4) of said Section Twenty-Five, thence West 717.7 feet to the East bank of Lake Cormorant, thence in a southerly direction along the East bank of Lake Cormorant to the South line of the North Half (N ½) of said Section Twenty-five (25); thence East 2660 feet, more or less, to the point of beginning, containing 95.94 acres; being Share No. 2 assigned to Huldah Bussey in the partition of the lands of J.C. Brantley, deceased, in Case No. 5993 in the Chancery Court of DeSoto County, Mississippi; subject to easement for right of way of new Federal Highway No. 61 and the permanent easement along the East bank of Lake Cormorant from the Southwest corner of said Share No. 2, to new Federal Highway No. 61 granted by Mrs. Huldah Bussey to George H. Brantley by

instrument dated November 28, 1936, and recorded in Deed record book 26, page 8, of the records of DeSoto County, Mississippi. Federal Highway No. 61 comprises 2.42 acres, leaving net 93.52.

Being land conveyed to Grantors by deed dated February 27, 1961, recorded in Deed Book 49 at page 227 of said records.

TRACT VI

Beginning at a point 500 feet East of the Northwest Corner of the Northeast Quarter (NE 1/4) of Section 32, Township 2, Range 9, DeSoto County, Mississippi, which point is on the North section line of said Section 32 thence continuing eastwardly on the North Section line 872 feet to a point; thence South 300 feet to a point; thence West and parallel to the said North section line 872 feet to a point; thence North 300 feet to the point of beginning, and containing six (6) acres, more or less.

ALSO, a perpetual right of way and easement for ingress and egress over the North 40 feet of said Northeast Quarter (NE 1/4) extending from the Northeast corner thereof westwardly along the North Section line to the hereinabove conveyed tract.

Being land conveyed to Grantors by Raymond Koehler, et al by deed dated August 30, 1978, recorded in Deed Book 136 at page 407 of said records.

TRACT VII

Beginning at the Northwest corner of the Northeast Quarter (NE 1/4) of Section 32, Township 2, Range 9, DeSoto County, Mississippi, which point is on the North section line of said Section 32; thence Eastwardly on the North section line 500 feet to a point; thence South 350 feet to a point; thence West and parallel to the said North section line 500 feet to a point, which point is in the West line of the said Northeast Quarter (NE 1/4); thence North 350 feet along the said West line of the Northeast Quarter (NE 1/4) to the point of beginning, containing 4 acres, more or less, and being the same land conveyed by deed of record in warranty deed book 73, page 219, in the office of the Chancery Court Clerk of DeSoto County, Mississippi.

Being land conveyed to Grantors by Raymond Koehler, et al by deed dated June 12, 1969, recorded in Deed Book 79 at page 106 of said records.

TRACT VIII

Three parcels of land situated in Section 24, Township 2 South, Range 10 West described in and conveyed by the deed from Marene Smart Jones to the Grantors by warranty deed dated August 10, 1978, recorded in Deed Book 136 at page 57 of said records.

It is my intent to convey all real property that was owned by Herman Koehler at the time of his death to the trust referenced herein less and except only that real property specifically devised pursuant to the terms of the last will and testament of Herman Koehler probated in the cause referenced in the first paragraph above.

WITNESS my signature this the 10th day of December, 2002.

Evelyn C. Koehler

Evelyn C. Koehler, Executrix of the
Estate of Herman Koehler

STATE OF MISSISSIPPI
COUNTY OF TUNICA

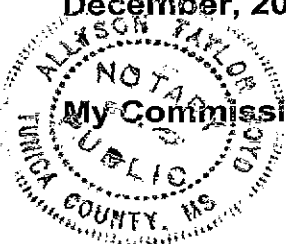
PERSONALLY appeared before me, the undersigned authority in and for said State and County, the above named Evelyn C. Koehler, Executrix of the Estate of Herman Koehler who acknowledged that for and on behalf of said Estate, she signed and delivered the foregoing instrument on the day and year therein mentioned.

GIVEN under my hand and official seal, this the 16th day of December, 2002.

Allison Taylor Boyd
Notary Public

My Commission Expires: _____

My Commission Expires Dec. 12, 2004



Address of Grantor:

Evelyn C. Koehler
Executrix of the Estate of Herman Koehler
P.O. Box 191
Lake Cormorant, MS 38641
Telephone No. (662) 781-0657

Address of Grantee:

Evelyn C. Koehler
Trustee of the Herman Koehler Credit Shelter Trust
P.O. Box 191
Lake Cormorant, MS 38641
Telephone No. (662) 781-0657

This instrument prepared by:

Dulaney Law Firm, L.L.P.
P.O. Box 188
986 Harris Street
Tunica, MS 38676
Telephone: (662) 363-2922

Indexing instructions:**Tract I**

All quarter-quarter sections of Section 21, Township Two (2) South, Range Nine (9) West

Tract II

SE 1/4 of NW 1/4; SW 1/4 of NE 1/4; SE 1/4 of NE 1/4 of Section 24, Township Two (2) South, Range Ten (10) West

Tract III

NW 1/4 of NW 1/4 of Section 19, Township 2 South, Range 9 West; and NW 1/4 of NE 1/4 and NE 1/4 of NE 1/4 of Section 24, Township 2 South, Range 10 West

Tract IV

SW 1/4 of SW 1/4 of Section 19, Township 2 South, Range 9 West; and NE 1/4 of SE 1/4 and SE 1/4 of SE 1/4 of Section 24, Township 2 South, Range 10 West

Tract V

NE 1/4 of NE 1/4; NW 1/4 of NE 1/4; SE 1/4 of NE 1/4; SW 1/4 of NE 1/4; NE 1/4 of NW 1/4; SE 1/4 of NW 1/4 all of Section 25, Township 2 South, Range 10 West

Tract VI

NE 1/4 of NE 1/4 and NW 1/4 of NE 1/4 of Section 32, Township 2 South, Range 9 West

Tract VII

NW 1/4 of NE 1/4 of Section 32, Township 2 South, Range 9 West

Tract VIII

NW 1/4 of NE 1/4 and NE 1/4 of NE 1/4 and NE 1/4 of NW 1/4 of Section 24, Township 2 South, Range 10 West